

Remarks

This communication is considered fully responsive to the first Office Action mailed December 9, 2004. Claims 1-7 are withdrawn without prejudice to the subject matter contained therein in accordance with the examiner's restriction requirement. Claims 8-20 were examined. Claims 8-20 stand rejected. No claims are amended. New claims 21-27 have been added. Reexamination and reconsideration of claims 8-27 are respectfully requested.

Affirmation of Claim Election

The examiner noted that, following his telephone conversation with John Moran regarding the restriction requirement, the examiner determined that claims 14-20 are properly included with the invention of the provisionally elected group (claims 8-13). The examiner considered claims 8-20. Applicant appreciates the examiner making this determination and, as requested in the Office Action, hereby affirms the election of claims 8-20.

Inventorship

The inventorship for this patent application is not changed by virtue of the restriction requirement and withdrawal of claims 1-7 from consideration. Each of the originally named inventors made an inventive contribution to at least one of the remaining claims.

New Claims

New claims 21-27 are presented for consideration. No new matter is presented. The new claims are drawn to the subject matter of Group II and therefore are properly presented in this application. New claims 21-27 are also believed to be allowable over the cited references.

Claim Rejections - 35 U.S.C. 102(b)

The Office Action rejected claims 8-20 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,208,745 to Quentin, et al. (hereinafter referred to as "Quentin"). Applicant respectfully traverses this rejection.

A prima facie case of anticipation under Section 102 requires that every element of the claimed invention be literally present in the reference, arranged as it is in the claim. See, e.g., *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The Office Action fails to make a prima facie case of anticipation.

Specifically, claim 8 positively recites "receiving a multimedia presentation at a multifunction device" (emphasis added). On the other hand, Quentin discloses a two-way exchange of information between a user and an on-site, real-time system to enhance the user's perception of the system as an expert consultant. See, e.g., col. 3, lines 52-57. Quentin fails to disclose a multifunction device.

The term "multifunction device" is well understood in the computer consumer products industry. However, if there is any question as to the definition of a multifunction device, Applicant's specification explains that a

multifunction device is a convenient means for sending documents to one or more recipients, such as, at a fax machine, email account, another multifunction device, etc. See, e.g., page 4, lines 7-10. Exemplary multifunction devices are also discussed in Applicant's specification, e.g., at page 8, line 23 to page 9, line 11. There is no evidence that the expert consultant system described by Quentin is capable of sending documents to one or more recipients, such as, at a fax machine, email account, another multifunction device, etc.

Applicant notes that Quentin discloses an alternative embodiment of the expert consultant system wherein a satellite station is coupled to the computer subsystem (e.g., using a coaxial cable or radio link). See col. 23, line 50 to col. 24, line 24. However, this embodiment is provided for use in "environments where it is inconvenient or impossible to bring the complete system." Col. 24, lines 8-10. For example Quentin describes that the "satellite station can be carried into tight quarters or put near the user's face while performing a physically difficult task so that the user can easily view the screen and enter requests for additional information without having to make unnecessary movements." Col. 24, lines 10-15. However, there is no motivation to modify the computer subsystem or satellite station in Quentin to send documents to one or more recipients, such as, at a fax machine, email account, another multifunction device, etc.

For at least the foregoing reasons, Quentin cannot be properly construed as disclosing a multifunction device and therefore does not anticipate claim 8.

Accordingly, claim 8 is believed to be allowable over the cited reference and Applicant respectfully requests withdrawal of the rejection of claim 8.

Claims 9-13 depend from claim 8, which is believed to be allowable. Therefore, claims 9-13 are also believed to be allowable for at least the same reasons as claim 8. Withdrawal of the rejection of claims 9-13 is respectfully requested.

Claim 14 positively recites "a multifunction device." As discussed above with regard to claim 8, Quentin cannot be properly construed as disclosing a multifunction device. Accordingly, claim 14 is also believed to be allowable over the cited reference for at least this reason. Applicant respectfully requests withdrawal of the rejection of claim 14.

Claims 15-20 depend from claim 14, which is believed to be allowable. Therefore, claims 15-20 are also believed to be allowable for at least the same reasons as claim 14. Withdrawal of the rejection of claims 15-20 is respectfully requested.

Conclusion

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter.

Respectfully Submitted,

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